

CITY OF DELTA, UTAH  
REGULAR CITY COUNCIL MEETING  
JANUARY 3, 2013

PRESENT

Gayle Bunker  
Robert Banks  
John Niles  
Steven Pratt  
Betty Jo Western

Mayor  
Council Member  
Council Member  
Council Member  
Council Member

ABSENT

Tom Stephenson  
Alan Riding

Council Member  
Public Works Director

ALSO PRESENT

Gregory Jay Schafer  
Ken Clark  
Todd Anderson

City Recorder  
Assistant Public Works Director  
City Attorney

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the time, place and agenda of the meeting had been posted at the City Building and on the Utah Public Notice website and had been provided to the Millard County Chronicle Progress and to each member of the City Council at least two days prior to the meeting.

Council Member Betty Jo Western provided opening remarks, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held December 20, 2012 were presented for consideration and approval. Following review, Council Member Robert Banks MOVED to approve the minutes of the Regular City Council Meeting held December 20, 2012, as presented. The motion was SECONDED by Council Member John Niles. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members Robert Banks, John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been provided to them at least two days prior to the meeting. Following discussion, Council Member John Niles MOVED to approve the accounts payable, dated January 3, 2013, in the amount of \$37,711.97. The motion was SECONDED by Council Member Betty Jo Western. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members Robert Banks, John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

PUBLIC COMMENT PERIOD

There were no members of the public in attendance.

BUSINESS

MAYOR GAYLE BUNKER: REVISIONS TO DELTA CITY PURCHASING POLICY

Mayor Bunker advised Council Members that the purchasing policy was not ready to be approved at this time. He asked Council Members if they had any other comments or questions regarding the purchasing policy. There being none, he noted that the purchasing policy will be prepared for approval at the next meeting. There were no comments regarding the purchasing policy.

MAYOR GAYLE BUNKER: CITY COUNCIL DISCLOSURE STATEMENTS

Mayor Bunker requested that Council Members provide their completed disclosure statements to City Recorder Gregory Schafer prior to leaving the meeting this evening.

MAYOR GAYLE BUNKER: RESOLUTION 13-355, A RESOLUTION ADOPTING REVISIONS TO THE DELTA CITY CONSOLIDATED FEE SCHEDULE

Mayor Bunker introduced the following resolution:

RESOLUTION NO. 13-355  
A RESOLUTION OF THE COUNCIL OF THE CITY OF DELTA, STATE OF UTAH,  
ESTABLISHING CERTAIN FEES IN A DELTA CITY CONSOLIDATED FEE SCHEDULE  
AS SET OUT IN THE DELTA CITY CONSOLIDATED FEE SCHEDULE DATED:  
01/03/2013

The changes made in the fee schedule include revising the term "Road Encroachments" to "Right-of-Way Encroachments"; "Land Use Related Fees, §12-363" was changed to "Land Use Related Fees, Title 12"; an item was added under "Legal Fees and Costs" to include a filing fee for Delta City

Appeal Authority; the term "NSF Checks" was changed to "Returned Checks"; added fees for "Use of City Facilities"; "Septic Disposal Fee" was added; amended the requirements for "Hydrant Access/Meter Rental" to include "Any user who does have a current water service connection that also desires hydrant access will be considered a commercial account." In addition to these changes, the "Water Rights Acquisition and Development Fees" were amended based on a cost of \$2,000.00 per acre foot. This is an increase from the current fees based on a cost of \$960 per acre foot, which has been used for approximately thirty years. It was felt that the price should be increased at this time. Mayor Bunker noted that this fee only applies to areas which are being annexed into Delta City and does not apply to areas currently inside Delta City limits. This would result in the fee for a single family unit, of up to a ½ acre lot, requiring one acre foot of water at a cost of \$2,000; a ½ to 1 acre lot would require 1 ¼ acre feet, at a cost of \$2,500; 1 acre to 1 ½ acre lot would require 1 ½ acre feet, at a cost of \$3,000, and 1 ½ acre to 2 acre lot requiring 2 acre feet, at a cost of \$4,000. The resolution also outlines the requirement for mobile home units, multi-family units, travel trailer units, hotel or motel room units, and commercial development units. The schedule also includes a statement that "The acquisition of water rights not covered above shall be determined by the Delta City Public Works Director based on the quantity of water needed to supply the anticipated use as recommended by the State Engineer's Estimated Water Use Tables. If historical usage surpasses the amount of water purchased there is a requirement that additional water be acquired to satisfy the usage in ¼ acre increments at the current Delta City price per acre foot." This would allow those who need to use greater amounts of water to purchase additional water. Council Member Western asked why the cost of the water has increased this much. She was advised that the price of water has greatly increased and the price of \$2,000 per acre foot is a very reasonable price for culinary water. Council Member Western stated that she felt the \$500 fee for filing an appeal was too high because her research showed that a number of cities are charging fees for filing an appeal in the range of \$35 up to \$350 and felt that our fee should be reduced to be closer in line with other cities. Council Members agreed to reduce the fee for filing an appeal to \$250.00. Mayor Bunker noted that we can amend the consolidated fee schedule at any time we feel something needs to be changed.

Following discussion, Council Member Betty Jo Western MOVED to adopt Resolution No. 13-355, a resolution adopting revisions to the Delta City Consolidated Fee Schedule, subject to setting the fee for filing an appeal at \$250.00. The motion was SECONDED by Council Member John Niles. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The vote was as follows:

Robert Banks	Yes
John Niles	Yes
Steven Pratt	Yes
Tom Stephenson	Absent
Betty Jo Western	Yes

The motion passed.

MAYOR GAYLE BUNKER: CERTIFICATION OF DESIGNATION OF DEPOSITORIES

City Recorder/Finance Director Gregory Schafer advised Council Members that our bonding company requires that we disclose the entities with which we do our primary banking activities. The form has been provided to Council Members for their approval to have the Mayor sign the certification.

Following discussion, Council Member Steven Pratt MOVED to approve signing the Certification of Depositories. The motion was SECONDED by Council Member . Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members Robert Banks, John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

MAYOR GAYLE BUNKER: AMENDMENTS TO THE DELTA CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2013

Mayor Bunker noted that we need to amend the Delta City Budget to include amendments for the Sherwood Shores Project and the Community Center income and expenditures.

Following discussion, Council Member Robert Banks MOVED to set a public hearing on Thursday, February 7, 2013, at 6:30 p.m. for the purpose of receiving public comment regarding amendments to the Delta City Budget for the fiscal year ending June 30, 2013. The motion was SECONDED by Council Member Betty Jo Western. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members Robert Banks, John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

ASSISTANT PUBLIC WORKS DIRECTOR KEN CLARK: UPDATE ON PUBLIC WORKS PROJECTS

Assistant Public Works Director Ken Clark told Council Members that they had been given a copy of vehicles that had been left parked on streets during the recent snow storms, along with proposed letters to be sent to individuals who violate the parking prohibition during snow storms. One proposed letter is advising of a violation and warns that further violations will result in fines. The second proposed letter advises that a fine has been assessed and that future violations will result in larger fines. Assistant Public Works Director Clark requested guidance of Council Members as to whether to send warning letters or assess fines to those who are not. He noted that most residents are making efforts to keep their vehicles off the street during snow storms, even if they need to park on their lawn. They also discussed businesses plowing their parking lots and piling the snow in other areas where it causes access problems. Council Members were asked to think about this matter for future discussion.

It was determined that those individuals who had been previously warned about parking vehicles on the street during snow storms should be issued citations and those who had not been previously warned would receive a warning letter. Assistant Public Works Director Clark asked if there were any recommendations from Council Members regarding improvements to the manner in which Public Works employees are plowing snow. There were no recommendations and Council Members felt that employees were doing a good job of snow removal.

Assistant Public Works Director Clark advised Council Members that there are six cottonwood trees in the park are extremely old, diseased, and are beginning to break off in storms. They would like to remove the six trees and replace some of them with nice shade trees. We have planted some new trees between the cottonwoods but the old trees are making it very difficult for the new trees to grow as they should. The cottonwood trees were probably planted in the 1920s or 1930s and they need to be replaced. It was noted that we will receive a great deal of public outcry when the trees are removed but we need to get some younger trees growing in the park and get rid of the old trees before one blows over in a windstorm and causes property damage. Mayor Bunker requested that additional information be presented to the Council at the next meeting, including a draft of information to be provided to the local newspaper to advise residents of what we are planning.

Assistant Public Works Director Clark advised Council Members that a group of young men from White River Academy want to do a service project involving installing fencing along the river side of the shooting range parking area.

#### OTHER BUSINESS

Mayor Bunker asked for comments regarding the New Years Eve celebration. Council Member Banks asked if we had the lighted ball drop this year. Assistant Public Works Director Clark said that the ball did not get repaired and put up in time to have the ball drop this year. Council Member Niles felt that there were more people who expressed appreciation at the celebration this year than in the past. Council Member Western felt that there were more middle school and high school students at the celebration this year. The students also expressed appreciation and she has received numerous positive comments about the celebration. Council Members felt that the celebration was a great success.

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Council Member Robert Banks MOVED to adjourn City Council meeting and convene as the Local Building Authority. The motion was SECONDED by Council Member Steven Pratt. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members Robert Banks, John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent. The meeting was adjourned at 8:46 p.m.

The Council reconvened Regular City Council Meeting at 8:56 p.m.

Mayor Bunker asked if there were any comments, questions or other items to be discussed. There being none, Council Member John Niles MOVED to adjourn the meeting and convene as the Local Building Authority of Delta City. The motion was SECONDED by Council Member Betty Jo Western. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Council Members Robert Banks, John Niles, Steven Pratt and Betty Jo Western voting in favor and Council Member Tom Stephenson being absent.

Mayor Bunker declared the meeting adjourned at 8:57 p.m.

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GAYLE BUNKER, Mayor

*Unapproved*

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GREGORY JAY SCHAFER, MMC, City Recorder

MINUTES APPROVED:

*Unapproved*

*Unapproved*